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Som skickats till
LCHland 2006-03-15*

I.C.A.O. 83bis

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DELEGATION AGREEMENT

BETWEEN

**SWEDISH CIVIL AVIATION AUTHORITY
(SWEDEN)**

AND

**CIVIL AVIATION ADMINISTRATION of LATVIA
(LATVIA)**

ON THE IMPLEMENTATION OF ICAO Art. 83 bis of

THE

CONVENTION ON INTERNATIONAL CIVIL AVIATION

**FOR THE TRANSFER OF SURVEILLANCE
RESPONSIBILITIES:**

**(OPERATIONS, MAINTENANCE AND CONTINUING
AIRWORTHINESS)**

**OF AIRCRAFT OPERATED UNDER DRY LEASING
CONTRACT.**

(A)



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**DELEGATION AGREEMENT BETWEEN SWEDEN and LATVIA
on the implementation of Article 83 *bis* of the Chicago Convention**

WHEREAS the protocol relating to Article 83 bis of the Convention on International Civil Aviation (Chicago, 1944), to which SWEDEN and LATVIA are parties, entered into force on 20th June 1997.

WHEREAS Article 83 bis, with a view to enhanced safety, provides for the possibility of transferring to the State of the Operator all or part of the State of Registrations functions and duties pertaining to Articles 12, 30, 31, and 32 (a) of the Convention;

WHEREAS, in line with ICAO Document 9642, Part VIII, Chapter 1, and in light of ICAO Document 8335, Chapter 10, it is necessary to establish precisely the international obligations and responsibilities of SWEDEN (State of Registration) and LATVIA (State of the Operator) in accordance with the Convention.

WHEREAS, the certification and airworthiness standard for SWEDEN and LATVIA are set by European Community and European Aviation Safety Agency[EASA] under Regulation (EC) No 1592/2002 of the European Parliament and of the Council.

WHEREAS, with reference to the relevant Annexes to the Convention, this agreement organises the transfer from SWEDEN to LATVIA of responsibilities normally carried out by the State of Registration, as set out in paragraph 3 below;

The Civil Aviation Authority of SWEDEN Swedish Civil Aviation Authority

SE-601 73 Norrköping

Sweden

and

The Civil Aviation Administration of LATVIA Civil Aviation Administration of Latvia

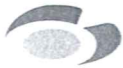
Airport RIGA 10/1

Marupes pagasts

LV-1053

Latvia

Hereinafter referred to as "the Parties", have agreed as follows on behalf of their respective Governments based on Articles 33 and 83 *bis* of the Convention:



GENERAL

In pursuance of the Chicago Convention and article 4 and 5 of Statutory Instrument S.I. 322 of 1989 SWEDEN shall be relieved of responsibility in respect of the functions and duties transferred to LATVIA upon due publication or notification of this agreement as determined in paragraph (b) of Article 83 *bis*. The scope of this agreement shall be limited to aircraft on the register of civil aircraft of SWEDEN and operated under leasing arrangement by Civil Aviation Administration of Latvia with an A.O.C. issued for "Commercial Air Transport" whose principal place of business is in LATVIA.

DEFINITIONS.

Lessor. Registered owner or Operator of the aircraft

Lessee. Operator under the A.O.C. of which the leased aircraft is operated.

The list of aircraft concerned, identified by type, registration number and serial number, is reproduced in the attached Schedule 1(a). (page9)

TRANSFERRED RESPONSIBILITIES

Under this agreement, the Parties agree that SWEDEN transfers to LATVIA the following responsibilities, including oversight and control, of relevant items contained in the respective Annexes to the Convention:

Annex 1

Personnel Licensing - issuance or validation of licenses issued or rendered valid by the Swedish Civil Aviation Authority.

Annex 2

Rules of the Air - enforcement of compliance with applicable rules and regulations relating to the flight and manoeuvre of aircraft.

Annex 6

Operation of Aircraft (Part 1 International Commercial Air Transport-Aeroplanes - all responsibilities which are normally incumbent on the State of Registration. Where responsibilities in Annex 6, Part 1, may conflict with responsibilities in Annex 8 Airworthiness of Aircraft, allocation of specific responsibilities are defined in the attached Appendix 01.

Annex 8

Under this agreement, while the lessor Authority (SWEDEN) will retain responsibility under the Chicago Convention for the regulatory oversight and control of Annex 8 "*Airworthiness of Aircraft*" registered on its register, the responsibility for the maintenance surveillance of leased aircraft, operated under the A.O.C. of the lessee is hereby transferred to the lessee Authority (LATVIA), including Annex 8 part 11 para 4 "*Continuing Airworthiness of Aircraft*", Annex 8 para 6 "*Temporary Loss of Airworthiness*" Annex 8 para 8 "*Aircraft Limitations and Information*" [*Flight Manual*]

(Appendix 01) hereunder describes the responsibilities of the parties regarding the continuing airworthiness of aircraft.

NOTIFICATION

Responsibility for notifying directly any States concerned of the existence and contents of this agreement pursuant to Article 83 bis rests with the State of the Operator, LATVIA. This agreement, as well as any amendments to it, will also be registered with ICAO by the Swedish Civil Aviation Authority or the State of the Operator, Civil Aviation Administration of Latvia, as required by Article 83 of the Convention, and in accordance with the Rules for Registration with ICAO of Aeronautical Agreements and Arrangements (ICAO Doc 6685).

A certified true copy of this agreement shall be placed on board each aircraft to which this agreement applies. A certified true copy of the Air Operator Certificate (AOC) issued to Operators by Civil Aviation Administration of Latvia in which the aircraft concerned will be duly listed and properly identified, will be carried on board each aircraft.

CO-ORDINATION

Meetings between Civil Aviation Administration of Latvia and the Swedish Civil Aviation Authority [Sweden] will be arranged as necessary to discuss both operational and airworthiness matters resulting from inspections that have been conducted by respective inspectors.

These meeting may take place at the respective Authorities' offices in LATVIA or Sweden.

The following subjects may be reviewed during these meetings.

- Flight Operations.
- Continuing Airworthiness Surveillance and Aircraft Maintenance.
- Operators Control Manual Procedure as applicable.
- Any other significant matter arising from inspections.

FINAL

This agreement will enter into force on its date of signature, and end at the culmination of the respective aircraft leasing arrangements under which they are operated. The parties shall agree in writing to any modification of this agreement.

This agreement is accepted and signed by.

Director General 
SWEDEN (Swedish Civil Aviation Authority)

For the Civil Aviation Authority of
SWEDEN

Director General _____
LATVIA (Civil Aviation Administration)

For the Civil Aviation Administration of
LATVIA

Mr Nils Gunnar Billinger
Director General
27-02 -2006

Mr Maris Gorodcovs
Director General
- -2006

ATTACHMENTS:

[Schedule 1(a)] Delegated Aircraft Affected by this Agreement (page9).

[Appendix 01] Responsibilities of [SWEDEN] and [LATVIA] Regarding Airworthiness (page4-8).

APPENDIX n° 01

I - PURPOSE

The purpose of this appendix is to provide detailed working arrangements between the Swedish Civil Aviation Authority (SCAA) of Sweden and the Civil Aviation Administration of Latvia (CAA) to allow them to discharge their responsibilities for the continuing airworthiness of dry leased aircraft whilst being operated in commercial air transportation by operators of LATVIA.

II - IMPLEMENTATION

For the implementation, the points of contact of the authorities are the following for all questions regarding Airworthiness, major changes and matter of principles:

Swedish Civil Aviation Authority
SE-601 73 Norrköping
Sweden

Civil Aviation Administration of LATVIA
Airport RIGA 10/1
Marupes pagasts
LV-1053
Latvia

Tel.+ 46 (0) 11-415 21 00 Fax. + 46 (0) 11-415 22 50 Tel.+ 371 7830936 Fax. + 371 783 09 67

As far as the current activities to be performed in accordance with these procedure are concerned SCAA inspectors in charge of a specific SE- registered aircraft will co-ordinate their specific intervention and the necessary exchange of information related to the present procedures.

III -TYPE DESIGN DEFINITION

The aircraft must conform to EASA Type Design.

The operator's Authority will be responsible for supervising continuous compliance with this requirement after delivery for the period the aircraft is being operated by the national operator of Latvia under Swedish registration marks.

IV-CHANGES TO THE TYPE DESIGN

The express permission of the aircraft registered owner is required prior to the incorporation of any modification.

All changes to the aircraft listed in the attached Schedule 1(a) must be classified and approved in accordance with Commission Regulation (EC) No 1702/2003 of 24th September 2003.

3. Embodiment of approved changes

Embodiment on aircraft of the Design Changes approved in accordance with the above procedure will be performed by an appropriately approved/accepted maintenance organisation in accordance with Commission Regulation 2042/2003

V. FLIGHT MANUAL

The aircraft must be operated within the limitations described in the Flight Manual approved in accordance with Commission Regulation (EC) No 1702/2003 of 24th September 2003.

VI-CONTINUING AIRWORTHINESS

Airworthiness Directives issued by EASA or made applicable under decision no. 2/2003 of the Executive Director of the agency dated 14 October 2003 shall be complied with on the delegated aircraft

The State of the Operator's Authority shall ensure that the Lessee is in receipt, of all the applicable AD's or other mandatory airworthiness requirements for the delegated aircraft as listed in schedule 1(a) to this agreement. The State of the Operator's Authority will be responsible to ensure that all applicable AD's and other mandatory airworthiness requirements are properly applied to the leased aircraft.

Derogation's to applicable AD's or other mandatory airworthiness requirements, if requested, will be coordinated between Swedish SCAA. and CAA of Latvia on case-by-case basis.

The State of the Operator shall ensure that in-service events on the aircraft are reported by the lessee operator to its Authority in accordance with national occurrence reporting system requirements.

The State of the Operator Authority will be responsible for defining to the operator the type of service information that to be reported to the State of Registration Authority. (ICAO Annex 6 8.5.1 and Annex 8 4.3.8 refer).

The State of the Operator's Authority will ensure that a copy of reports on significant events that affect or could affect the continuing airworthiness of leased aircraft or invalidate their C of A is also forwarded by the lessee operator to the State of Registration Authority in order to allow proper corrective actions. In such cases, the State of Registration Authority will accept that, in accordance with ICAO Annex 8 3.6.2, the State of the Operator Authority is entitled to prevent the aircraft from resuming flight subject to the State of the Operator Authority advising the State of Registration Authority that they have taken such action.

The State of the Operator Authority shall ensure that lessee operator transmits information on significant events affecting continuing airworthiness of leased aircraft to the organisation responsible for the type design (ICAO Annex 6 8.5.1 and Annex 8 4.3.5 refer).

The State of the Operator Authority and the State of Registration Authority will ensure mutual exchange of information on any result arising from the investigation phases of significant in service event in respect of leased aircraft.

The State of the Operator Authority will ensure that the operator obtains and assesses airworthiness information and recommendations available from the type design organisations and implements resulting actions considered necessary by the State of the Operator Authority and the State of Registration Authority (ICAO Annex 6 8.5.2. refers).

The State of the Operator Authority will ensure that the operator monitors and assesses maintenance and operational experience with respect to continuing airworthiness, flight safety and accident prevention (ICAO Annex 6 3.6 and 8.5.1 refers). Relevant procedures shall be specified in operator's MME or MCM.

VII-REPAIRS

Application of repairs on aircraft will be made under operator's Authority surveillance and responsibility according to its usual procedures.

All repairs, unless contained in the SRM, shall be classified and approved in accordance with Commission Regulation (EC) No 1702/2003 of 24th September 2003. Any damage resulting from a major incident should be notified to the State of Registration Authority prior to the embodiment of any repair.

VIII-MAINTENANCE

The State of the Operator Authority shall ensure that the operator Continuing Airworthiness Management Exposition (CAME) or equivalent Manual, and Aircraft maintenance program comply with State of Registration and Operator requirements as specified and laid down in this appendix. The State of the Operator Authority shall approve CAME and any revision thereof and ensure that relevant copies are sent to State of Registration Authority.

Leased aircraft, its engines and equipment, will be maintained in accordance with the State of Registration Authority approved maintenance programme with the approval of the State of the Operator Authority. Any permanent variation (e.g. interval escalation, changes to content and classification of or deletion of maintenance tasks etc) to the aircraft maintenance program shall be approved by the State of Registration Authority with the agreement of the State of the Operators Authority. The maintenance programme will be based on MRBR, manufacturer recommendations (e.g. MPD), international recognised standards etc. Where a reliability programme forms part of, or is a condition within the approved maintenance schedule approved by the State of Registration and Operator's Authority, the State of the Operator Authority will ensure the reliability programme complies with national procedure and will monitor the effectiveness of such a programme.

The lessee operator shall provide a copy of the aircraft reliability report to the State of Registration Authority.

Maintenance and airworthiness records will be kept by the aircraft operator (lessee) in accordance with procedures approved by the State of the Operator Authority. The records will be transferred by the lessee to the lessor at the end the leasing period.

IX- RECORDS

The State of Registration Authority shall ensure that maintenance and in service records and documentation relevant to the leased aircraft, as required by ICAO Annex 6, part I, accompany or are made available to the lessee at the time of aircraft delivery.

The State of the Operator Authority will ensure that the operator is responsible for maintaining aircraft-records and transferring these records to the lessor at the end of the leasing period.

The records will include:

- a Total time in service for the aircraft and life limited components.
- b Current compliance with all mandatory continuing airworthiness information.
- c Details of modifications and repairs.
- d Time in service since last overhaul and/or last inspection of the aircraft, instruments, equipment and components.
- e Current aircraft inspection status.
- f Details on maintenance activities performed
(ICAO Annex 6 parts I, 8.4, & 8.6 , Annex 8 4.3 and sect. 3 of Appendix A to Part VIII of ICAO Doc. 9642-AN/941 “Continuing Airworthiness Manual” refers).

The State of the Operator Authority shall ensure that lessee operator shall make available these records for the lessor and the State of Registration Authority at the end of the leasing period and for each aircraft Certificate of Airworthiness (CofA) renewal.

Authorities will ensure that, at the time of aircraft transfer, presentation of these records is arranged looking at the indications and bearing in mind principles laid down in the Appendix I to EC Regulation 2042/2003 and Appendix A to Part VIII of ICAO Doc. 9642-AN/941 “Continuing Airworthiness Manual”.

Issue, validation, renewal of the aircraft Certificate of Airworthiness by the State of Registration Authority shall be considered an endorsement of the status of the aircraft documentation and its associated maintenance records.

In the course of the activities leading to the approval of the lease agreement and preceding the aircraft delivery to the lessee, the SCAA and inspectors of Latvia in charge, with the assistance of the lessor and lessee, will co-ordinate to guarantee that the maintenance records and documentation used for the issuance, validation, renewal of the aircraft Certificate of Airworthiness by the State of Registration are those provided to the lessee for ensuring the continuing airworthiness of the aircraft during the lease period.

X FLIGHT OPERATIONS AND AUTHORISATION

The State of the Operator Authority shall be responsible for the authorisation of all operations in respect of a leased aircraft to be conducted in accordance with EASA approved aircraft Flight Manual and Operator's Authority approved Operations Manual.

The Minimum Equipment List for each leased aircraft in accordance with which the aircraft operations may be allowed shall be approved by Operator's Authority and shall not be less restrictive than the relevant Master Minimum Equipment List approved by the State of Design Authority.

A copy of the operators M.E.L. (Minimum Equipment List) including amendment service shall be provided by the aircraft operator to the State of Registration Authority.

XI SURVEILLANCE AND INSPECTION

During the terms of a lease, the State of the Operator Authority shall accomplish surveillance activities and inspections in respect of leased aircraft and lessee operator in accordance with its current procedures in order to verify that the aircraft operations is conducted in accordance with the applicable standards of airworthiness, operating requirements and the terms and conditions specified in the present appendix.

Each Authority shall notify the other Authority of any finding or act which affects the validity status of any certificate or documentation issued in respect of the leased aircraft or the terms and conditions of the lease authorisation or the lessee operator.

XII CERTIFICATE OF AIRWORTHINESS RENEWAL

The Certificate of Airworthiness will be renewed by the State of Registration Authority on the basis that the aircraft has been properly maintained and is in condition for safe operation. To this end, State of the Operator Authority shall ensure that maintenance records are available at any time to the State of Registration Authority.

XIII CO-OPERATION

Each Authority shall ensure that the other Authority is kept informed of all applicable standards of airworthiness, operating requirements, design-related operational requirements and associated requirements of its State and will consult the other Authority on any proposed changes thereto to the extent that they may affect the implementation of this appendix.

Each Authority shall render such assistance as may reasonably be required by the other Authority in carrying out inspections, investigations and other functions in respect of the leased aircraft.

For: CAA LATVIA

For: SCAA SWEDEN

MR Maris Gorodcovs
Director General


MR Nils Gunnar Billinger
Director General

Date - - 2006

Date 27 - 02 -2006

APPENDIX (A)

DELEGATION OF SURVEILLANCE.

Date 2006-03-15

Ref: LS 2005-5197

**Name: Mr Māris Gorodcovs, Director General,
Civil Aviation Administration of Latvia**

Address: Airport RIGA, LV-1053

**Subject: Delegation of Surveillance request for Swedish Registered Aircraft SE-LJI
Model Fokker 27 Mk050 MP Serial No 20180 for operation with
Air Baltic Corporation A/S.**

Lease Period: 16 of March 2006 until and incl. 30 of September 2006

Dear Sir,

In accordance with the general conditions outlined in Article 83 bis of the Convention on International Civil Aviation and Statutory Instrument S.I. 322 of 1989 Air Navigation (Transfer of Certain Functions and Duties of State of Registry of Aircraft) Order 1989, this Authority wishes to delegate the following functions to the Civil Aviation Administration of LATVIA in regard to the lease of the Swedish registered aircraft whilst being operated by AIR BALTIC CORPORATION A/S.

1. Annex 8

Part II

Chapter 4.	Continuing Airworthiness of Aircraft.
Chapter 3. 3. 4	Aircraft Limitations and Information (AFM).
Chapter 3. 3. 5	Temporary Loss of Airworthiness.
Chapter 3. 3. 6	Damage to aircraft.

2. Annex 6 Part 1. Operation of Aircraft.

3. **Annex 1** - Chapters 2, 3, 4 and 6. Licensing of Flight Crew Members, and Personnel other than Flight Crew.
- 4 **Annex 2** Rules of the Air.
5. The Swedish Civil Aviation Authority will issue a Crew Statement to permit Pilots of Air Baltic Corporation A/S to fly the Swedish registered aircraft during the lease. It is emphasised that a copy of the Crew Statement shall be carried by each individual Pilot and is only effective provided the licence issued by the Civil Aviation Administration of Latvia or issued by a contracting State and accepted as valid by the Civil Aviation Administration of Latvia and associated medical validity and ratings are current.

This Authority would be grateful if you would acknowledge in writing your acceptance or otherwise of the delegated functions listed under items 1, 2, 3 and 4 above and your agreement to the procedures for Crew Statement of Pilots Licences .

Thank you for your co-operation and assistance in this matter.

Yours faithfully,



Thomas Frimanson

**Deputy Head of Flight Operation and
Training Surveillance Section**

Swedish Civil Aviation Authority

APPENDIX (C)

SAMPLE OF ACCEPTANCE LETTER

Date:

Ref: LS 2005-5197

Name:

**Subject: Delegation of Surveillance for Swedish Registered Aircraft Fokker 27
Mk050 MP, registration, SE-LJI, Serial No 20180
Operating with Air Baltic Corporation A/S.**

Dear Sir,

Reference to you letter of 15 of March 2006, we wish to inform you that the Civil Aviation Administration of Latvia is willing to accept the transfer of surveillance responsibilities for the subject aircraft while being operated by Air Baltic Corporation A/S. The delegation will be accomplished in accordance with the terms and conditions laid down in the Delegation of Surveillance agreement signed on .xx.xx.xxxx. This Authority further agrees with the procedure for the validation of pilot's licences as detailed in item 5 of your letter as dated.

Yours faithfully,

Civil Aviation Administration
of Latvia